

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Leased Commercial Access	)	MB Docket No. 07-42
	)	
Development of Competition and	)	
Diversity in Video Programming	)	
Distribution and Carriage	)	
	)	
	)	

To: The Commission

**COMMENTS OF COMBONATE MEDIA GROUP**

Combonate Media Group, a prospective leased access programmer, herein submits comments in the matter of MB Docket No. 07-42 in which the Commission seeks comment on the application of the Commission's revised leased access rate methodology and maximum allowable leased access rate to programmers that predominantly transmit sales presentations or program length commercials.

As of independent producer of locally focused community oriented programming, we feel that leased access offers the best method of distribution of programming to specific geographical areas. Unfortunately, many obstacles remain to make valid use of leased access in many areas as Congress had intended when it established the rules. Among these hindrances are excessive rates charged by cable companies for leased access time, geographical distribution limitations imposed by cable

companies, and channel placement were the leased access channel is not available to the majority or largest segment of the system subscribers.

The Commission must understand that if leased access is to become what Congress intended, i.e. an independent outlet for programming diversity, then the Commission must create an environment where leased access programmers can thrive. A programmer must be able to generate the income to produce the programming, but to pay the cable company as well.

We applaud the Commission efforts in the release of the latest Rulemaking under MM Docket No. 07-42 and the proposed maximum leased access fee of \$0.10 per subscriber per month. The rate will afford the opportunity for the programmer to invest in the quality production of local programming of value and interest to the community (ies) it serves, while operating a viable business that can pay the bills.

The Commission realizes the value of local programming and has asked for comment regarding whether the revised leased access rate methodology and maximum allowable leased access rate should apply to programmers that predominantly transmit sales presentations or program length commercials. Although, this is and has been a potential use of leased access, it is hard to realize the public benefit that this type of programming supplies. This type of programming is readily available on home shopping networks and a staple on many broadcast

stations and other cable channels during off peak hours. As such, it should not be afforded the same type of rate that programmers of local value, benefit and interest should be charged.

Combonate Media Group respectfully requests that the Commission carefully and unambiguously define this type of programmer. Among some of the programming that Combonate contemplates is Blab TV style programming. Blab TV is a successful leased access programmer in the Pensacola and Sarasota, Florida markets. The programming is generally described as talk TV in which an expert (possibly the owner or manager) of a business provides useful information on a particular topic, while at the same time promoting his/her business. For example the might have a car dealer showing cars from the lot that are available during the program, while at the same time providing information as to the maintenance of cars or useful buying tips. Although it could be considered a program length commercial, the program is usually local in nature and benefits the community by retaining the money that customers spend within the local area. Other programming may be a fund raising event for a charitable organization that could be considers a sales presentation, but here again the money is retained locally. Combonate urges the Commission to make the distinction between promotion of local products, businesses and organizations as being of local public benefit and that type of programming that promotes national products, business and organizations where the money flows out of the community/area that is being served. A case can

be made that by not restricting or burdening, but enabling local advertising, this also potentially benefits the local business economy, and gives local businessmen an affordable voice on the "broadcast spectrum". In other words "if it is local it matters".

The Commission should also carefully define its intended meaning of predominantly. Is it 50 % of a full time channel, 50% of the program, 50% of the block of time that is leased? Or is a greater value than 50%, i.e. 60 %, 70 %, 75 %?

In conclusion, Combonate Media Group urges the Commission to enable and encourage leased access programmers who provide local programming of public interest and benefit, by adopting and enforcing rules that provide an environment in which they can not only survive, but thrive.

Respectfully submitted,

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